

1894-060 Chancery Causes: M. Milhiser + Co] vs. W. C. Herndon &
Lee Co.

Milhiser, Strouse, Parsons, Woodward, Stapleton, Pennington

CA-Debt
T-Property

-Deed

1

To the Hon. W. S. K. Marison, Judge of the
circuit Court for Lee County:

Humly complaining your arator
M. Milhiser and Jacob Straub merchants
partners in trade under the style & firm of M.
Milhiser & Co respectfully represent unto your
honor that at the special instance and request of
W. C. Herndon they sold and delivered unto the
said Herndon a large quantity of goods wares
& merchandise in the city of Richmond Va
on the 30th day of Oct, 1893. amounting to
the sum of \$83.27 which became due
60 days & 4 mo. after ^{as shown by invoice filed} and payable on Oct 30th 1893, and which bears
interest from Nov 30th 1893; that at his di-
rection all of said goods were shipped to said
Herndon to Pennington Gap, Va; that at the
time your arator sold said Herndon said
goods the records of the county court shown
him to be and he represented himself to be the
owner of a large quantity of unincumbered
land lying and being in Lee County and
in the Pocket and Brothard country -
land conveyed to him by the heirs of Charles
Pennington & Co's Larkin Herndon & John
B. Pennington & Robt. S. Hughes, and
John C. Stapleton and all of which he
was then in possession of using as
his own. Copies of the deed to the land
which he appeared to own is here
filed and prayed to be a part of this
bill marked -

Your arator will further show

unto your honor that a portion of the goods sold said Herndon, together with about 40 head of cattle the goods in the store house at the time, and also other goods purchased from other wholesale merchants about the same time of your orator's sale, are or about Nov. 10, 1893 turned over to his father Parkie Herndon and his brother John P. Herndon, who are now in the possession of the same selling and disposing of them; that said goods and cattle were turned over to John P. & Parkie Herndon without any consideration at least, with out a consideration any thing like the value thereof.

Your orator will further show unto your honor that said sum of money ~~is~~ still unpaid and will become due as aforesaid; that after they had sold and delivered said list of goods to said Herndon, to their great surprise they learned that said Herndon conveyed most of his said land to one David P. Parsons; that this conveyance was signed and acknowledged on the 14th day of March, 1893, but was not put on record in this County until Nov. 10th 1893, - after they had made said debt with said Herndon; that said deed of conveyance ^{as to} ~~the~~ consideration, \$5000.00, paid in hand; that your orator had

no notice of the existence of said deed, or that said Parsons had any interest & interest in said land. Your orators charge that said consideration nor any part thereof was ever paid to said Shredon, that said Parsons is a man of very limited means very poor and did not have that amount of money to pay thereon; that said deed is voluntary, without a valuable consideration and was made for the purpose of hindering, delaying and defrauding the creditors of said Shredon, and that said Parsons colluded with said Shredon for that purpose. But in this case, your orators allege that whether said deed was voluntary is a matter of little consequence to them, because they are creditors with notice of its existence, either actual or implied or constructive. A copy of said Parsons deed is here filed marked and prayed to be considered.

Your orators will again show unto your honor that on Nov. 10th 1893 said H. C. Shredon a kind of mortgage upon the land mentioned in the deed of John B. Pennington and Larkin Shredon dated July 30th 1893 to secure a pretended debt to one H. H. Woodward for \$675⁰⁰; that this paper was acknowledged & put upon record the day it was executed; that they are advised & informed and they so charge

that this lien is voluntary and without
a consideration; that if said Sheridan
did owe said Woodward any thing, it was
not the amount of \$675. A copy of this
paper is here filed marked and
prayed to be considered herewith.

Your orators will further shew unto
your honor that about the time said
transfer of said goods & cattle was made,
and about the time said Parsons deed was
put on record and said lien made, perhaps
on the same day, said W. C. Sheridan ab-
sconded this State and is now a non-
resident of this State; that the lien re-
tained by said Stapleton on the land
which he conveyed to said Sheridan has
long ago been discharged by payment;
that there are no other liens or incum-
brances upon said land than those
herein mentioned and that the rents &
profits of said land will not pay your
orators said claim and the costs of this
suit in five years.

The premises considered your
orators are advised that they have
rights herein cognizable by a court of
equity; that the said deed of March,
14th 1893 to said Parsons and said lien to
said Woodward and said transfer of said
goods and cattle as to your orators and
all others alike situated are void, and
that the property conveyed thereby are assets

out of which yourators claim will be paid

The Prayer therefore of yourator is that
W.C. Menden John P. Menden, Larkin Menden
William Woodward and John C. Stoflety and
David P. Parsons be made parties defendant
to this Bill of Complaint; that they each, with
the exception of David P. Parsons be required
to answer its several allegations on oath; that
by virtue of the affidavit herein filed
marked "Affidavit" made pursuant to
§ 29, 164 of the Code of 1887, an attachment
issue herein and be levied upon the
estate of said W.C. Menden and ^{same} he held ~~up~~
until a further order of this court. That
said John P. Larkin Menden specially an-
swer an oath how & in what they paid
said W.C. Menden for said goods & cattle &c.
where & where & from whom they got
the money or other thing whereby they
paid said Menden for said goods
& cattle &c; If they claim said W.C. Menden
was indebted to them they will further
answer the account thereof for whom
was the indebtedness, where, where &
of whom they got the money or other thing
which they let said W.C. Menden have
whereby he became indebted to them,
the date of each item of indebtedness
the number, kind & value of said cattle
or an invoice of all goods & chattels
of every kind & the price they gave
therefor which was turned over to

as either of them by said W.C. Skinderson;
That David P. Parson specially answer,
but he need not do so ~~as~~ ^{as to} the true
amount of anything he ~~has~~ ^{has} paid on
the land mentioned in said deed of Nov. 14
1893, where where & from where he obtained
the money or other thing he paid said Skinderson
on said land, how much if any thing
he still owes there; That said William
Woodward specially answer as a such where
& for what said W.C. Skinderson became
indebted to him, the true amount thereof
where it became or will become due &
payable, and from where he obtained the
money or other thing whereby said Skinderson
became indebted to him; That on a final
hearing of this cause a judgment
be given your orator for said sum
of money; That said deed, title, & transfer
of goods & cattle be annulled & set aside
& that enough of said property be sold to pay
your orator said claim and the costs of
this suit &c. And that all further & general
relief be granted your orator as the nature
of his cause may require And your
orator will ever pray &c.

Stamington V. Brog
J. G.

C 8.94
 S 2.50
 Coc 5.75
 Painter 5.00
 atty 5.00

26.19

2.50

A.M.F.

28.69

Defts Costs
 \$16.00

1st Jan'y 1894

Wm. Miller & Co Com.

v.s. } Billie Chanary

W. Herndon & Aliff

1894-1st Jan'y Rules Bill fil Bpa Exon home Defts

4ord Pub for non resident & Bpa Exon home Defts

" 2nd Jan'y Rules Bpa Exon home Defts confd

" 1st Feb'y " confd for ord of Pub

" 2nd " " ord P Complo & set for hearing by Aliff

" June Term Decree & contd

Dunsmuir Bros & Co

STATE OF VIRGINIA, }
City of Richmond, } to-wit:

This day personally appeared before me, the undersigned, a notary public for the city aforesaid, in the State of Virginia,

J. M. Evans
McILHISER & CO. and made oath that the *Account*
hereto attached against *McIlhiser* and in favor of

McILHISER & CO. for \$ *83.00* with interest from
Date of Account attached Nov 30, 1893 is correct to the best of his knowledge and belief; that
it is now due, and that no part thereof has been paid.

Given under my hand this *29* day of *July* A. D. 189*9*
Julius Frank N. P.

ALL BILLS MUST BE SETTLED

Folio 1015

Richmond, Va., NOV 29 1893 189

Messrs W. B. Herndon & Co.

Gynthia, Va.

Interest will be charged
on all accounts not
paid at maturity.

To M. MILLHISER & CO., DR.

93 Oct

30.

To Mdse.

bad.

92 82

4m

10 45

83 27

PLEASE RETURN THIS STATEMENT WHEN YOU REMIT.

cases of Shortage weigh package and contents as received and compare with marked Weight.
All claims for deduction to be made within Ten Days after receipt of goods.

Richmond, Va. Octo 30 1853
Messrs W & A Herndon & Co

Bought of M. Millhiser & Co

Wholesale Dealers in

Dry Goods & Notions.

1412 to 1420 Cary Street.

ms. 4 mo

or 6 per cent. for Cash in 10 days.

Interest will be charged on all accounts not paid at maturity.

63 spools

45 270

In cases of Shortage weigh package and contents as received and compare with marked Weight.
All claims for deduction to be made within Ten Days after receipt of goods.

Richmond, Va. Oct. 30 1892
Messrs W B Herndon & Co

Bought of M. Millhiser & Co

Wholesale Dealers in

Dry Goods & Notions.

1412 to 1420 Cary Street.

Terms: 4mo

or 6 per cent, for Cash in 10 days.

Interest will be charged on all accounts not paid at maturity.

279	1	dz	suspenders
6202	1	dz	"
	2	"	"

-DUPLICATE-

175
3
3
150
775

cases of Shortage weigh package and contents as received and compare with marked Weight.
All claims for deduction to be made within Ten Days after receipt of goods.

Richmond, Va. Oct 30 1882
Messrs W B Herndon & Co

Bought of M. Millhiser & Co

Wholesale Dealers in

Dry Goods & Notions.

1412 to 1420 Cary Street.

Terms: Cash

or 2 per cent. for Cash in 10 days.

Interest will be charged on all accounts not paid at maturity.

1	White oak Jeans	55	19	10 50
1	Hamburg "	47	16 ²	7 84
1	Norcross	58	10	6 09
1	Nahanta Dragl	47	15	7 05
3	Shelby pts.	149	5	7 46
7	Empire	300	5	15 75
1	6 Royal Cashmere	52	10	5 46
1	3 4 4 Dam Mist	50	9 ²	4 50
3	4 "a a" Brown	148	5	8 17

72 82

M. Melhuir & Co
D. } Account
J. C. Hudson
\$83.27

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate answer and demurrer of John P. Herndon to a bill in chancery exhibited against him and others in this honorable court by M. Milhiser and Jacob Strauls, partners trading under the firm name of M. Milhiser & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgment of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him, answering, he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry, Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill filed by complainants, all ^{contain} ~~have~~ almost identically the same allegations except as to the amount claimed, and all are against identically the same parties. Respondent refers to said several answers and adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Duncan Hyatt p.d.

Virginia, Lee County, to wit:

This day John P. Herndon personally appeared before me, A.B. Munsey, Clerk of the Circuit Court for the County and State aforesaid, and made oath that the foregoing answer, so far as made on his own knowledge, is true and so far as made upon the information of others he believes it to be true. Given under my hand on this the 5th day of March 1894.

A.B. Munsey Clerk

W.C.Herndon et als.

Ads. { Separate demurrer and
answer of John P. Herndon, one of the defendants.

M. Milhiser & Co.

Duncan & Hvatt, p.d.

Filed in open court March
the 9th 1894
A B Munsey clk

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate demurrer and answer of Larkin Herndon to a bill in chancery exhibited against him and others in this honorable Court by M. Milhiser and Jacob Strauls, partners trading under the firm name of M. Milhiser & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly and prays judgement of his said demurrer &c. And not waiving said demurrer but relying and insisting thereon, should other and further answer be required of him, answering he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClune & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable ^{court} [^] ^{contain} all have a common purpose with the bill filed by complainants, all ~~have~~ almost identically the same allegations except as to the amount claimed, and all are against identically the same persons. Respondent refers to said answers and adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Duncan & Hyatt p.d.

Virginia, Lee County, to wit:

This day Larkin Herndon personally appeared before me, A.B. Munsey, Clerk of the Circuit Court for the County and State aforesaid, and made oath that the foregoing answer, so far as made on his own knowledge, is true, and so far as made upon the information of others, he believes it to be true. Given under my hand on this the 5th day of March 1894.

A.B. Munsey Clerk

W.C. Herndon et als.

Separate demurrer and
Ads. answer of Larkin Herndon,
one of the defendants.

M. Milhiser & Co.

Duncan & Hvatt, p.d.

*Filed in open court march
the 7th 1874
A.B. Munsy clerk*

Virginia Lee County to wit:

This day to the Remington agent for M. Mill-

hiser & Jacob Stranks Merchants &

partners in trade under the style & firm of M. Mill-
hiser & Co. plaintiffs in a certain Chancery cause now
pending in the Circuit Court for the County of Va. against
H. C. Skindon et al. to recover a certain debt
from said Skindon, personally appeared before
me A. G. Hyatt notary public in and for the said
county of Lee & State of Va. in my capacity of said
and made oath, 1st that he verily believes the
said plaintiffs claim is just. 2nd That he
believes the said plaintiff is entitled to and
ought to recover from the said Skindon in
said suit at least a debt of \$83.20 with inter-
est ~~and~~ ~~from~~ Oct 30, 1893. 3rd That to the best of
the officiant's belief said H. C. Skindon is not a
resident of this State of Va. but has effects there
in the county of Lee. 4th That H. C. Skindon has
concealed, is concealing or about to convert his
or some material part thereof
property into money, securities & evidences of debt
with the intent to hinder defraud & delay his creditors,
5th That the said Skindon has assigned & disposed
of and is about to assign and dispose of his in-
come or some part thereof with the intent to
hinder defraud, & delay his creditors & especially M.
Millhiser & Co. Given under my hand this 1st day, 7th 1893.

A. G. Hyatt N. Pub

M. Mülhner & Co 6

W. J. Fiedorick

W. C. Herndon

W.C. Hudson
Filed Decr the 7th 1894
A.B. Murray clerk

AB Murray Clerk

Deed Book No 20, page 438.

This Deed made the 14th day of March 1883 Between William C. Herndon and Cynthia K. Herndon of the first part and of the County of Lee and state of Virginia and David P. Parsons of the county and state aforesaid. Witnesseth that in consideration of the sum of five thousand Dollars in hand paid the receipt whereof is hereby acknowledged W/C. Herndon and Cynthia K. Herndon his wife do grant bargain and sell and convey unto David P. Parsons party of the second part a certain tract or parcel of land lying in the Graborchard on Reeds and Jones creek waters of the North Fork of Powell's River No of acres unknown supposed to be six hundred ^{acres} more or less and bounded as follows to wit Beginning at a stake on the north bank of the North Fork by the mouth of Reeds creek Thence with the meanders thereof to the Mc Grath line and with said line N 33 W to a gum two chestnuts and spanish oak corner to the A.B. Bailey land and with lines of same N 61 W 23 poles to a white oak and chestnut Thence N. 30 W 12 poles to 3 white oaks Thence N 0 W with Parkers line to Jones Creek and with the said Creek to Joseph Marcums corner thence southwardly with said Marcums line to A.K. Debask corner Thence with his several lines and corners to a corner to Alfred Johnstons land formerly Samuel Parsons land Thence with lines and corners of said Samuel Parsons tract to James Currier land Thence with said lines and corners to Mathew Zion land and with said Zions ~~lines~~ lines and corners to Parsons land thence with his lines and corners to the Beginning. The foregoing described Boundary of land embraces the land purchased by W.C. Herndon from Tobias Hughs and wife Charles Pennington heirs Larkin Herndon and J.B. Pennington and the said ~~and the said David~~ Parsons is to have and with all the

former
Dappartanences *former* *7* and the said William C. Herndon
and the said William C. Herndon and Cynthia Herndon parties of
the first part to warrant generally the land hereby conveyed
Witness the following signatures and seals the year and day
first above written.

William C. Herndon (seal)

Cynthia E. Herndon (seal)

State of Virginia, County of Lee, to wit:

I, W. M. Parsons a Justice of the peace in and for the
county and state aforesaid do certify that William C. Herndon
and Cynthia E. Herndon his wife whose names *W. M. Parsons* signed to
the foregoing deed bearing date of the 14th day of March
1893 acknowledged the same before me in my county and state
W. M. Parsons Given under my hand and seal this the 14th day of
March 1893.

W. M. Parsons J.P.

Virginia Lee County to wit: -

In the office of the clerk of the clerk of the said county
On 14th day of Nov. 1893 this deed as presented and together
with the certificate thereto annexed was admitted to record.

Test: S. V. F. Richardson, clerk.

Virginia Lee, county to wit: *Teste S. V. F. Richardson clerk*

This *W. M. Parsons* personally appeared before me, *S. V. F. Richardson*
Notary public in and for the County and state
aforesaid and made oath that he had copied the foregoing
deed from the records of the county court of the said county
and on file in the clerk's office of the said county and
that the same is a true copy of the said deed.

N.P.

In the Office of the Clerk, Circuit Court
County of Lee, Virginia 1893
This Deed was admitted together with the
Certificate of the Clerk and admitted to record

Deed Book No. 21, page 400.
This Deed made the 10th day of Nov 1893 by and between
W.C. Herndon of the first part and William Woodward of the
second part both of the County of Lee and State of Virginia
the party of the first ^{part} hath granted unto the party of the second
part a tract or parcel of land bounded as follows, Beginning
at a stake at the mouth of Heads Creek running with Lawsons
to the top of Stone Mountain thence with the meanderings there
of to the Mc Cradie line and with a meander to the north fork of
Fosses River with meanderings of said waters to the Beginning.
This deed of trust is to secure and hold good to the party
of the second part for the sum of six hundred and seventy five
dollars which the party of the second part shall pay to the
party of the first part this contract shall stand and hold
good to the party of the second part until the Notes is
satisfied in full. Witness the following Signatures and seal
W.C. Herndon. (seal)

Virginia Lee County, to all :-
I, J.E. Purdin, Justice of said County, do certify that W.C. Herndon
whose name is signed to the foregoing deed bearing date
on the 10th day of Nov 1893, this day personally appeared before
me in my County aforesaid and acknowledged the same to
be his act and deed. Given under my hand and seal this the
This the 10th day of Nov 1893

J.E. Purdin, J.P.
A Copy Teste S.H. Richmond Clerk

Virginia, Lee County, to all :-
This day R.I. Pennington personally appeared before me
R.W. Pennington, Notary public in and for the County of Lee
State aforesaid, and made oath that he had copied the fore-
going deed from the records of the County Court of Lee County
on file in the clerk's office of the said court, and that the
same is a true transcript therefrom. This Feb ____ 1894

Deed Book Book No. 20 .page 106 .

THIS DEED of conveyance made the 6th day of February/ 1890
by and between Tobias Hughs and Martha Hughs and Peggie
Parsons of the first part ~~all~~ ^{of the second part} all of the county of Lee and
state of Virginia and William C. Herndon of the county and
state aforesaid . Witnesseth that for and in consideration of
the sum of Eight Hundred dollars in hand paid the receipt of
~~which~~ it is hereby acknowledged the parties of the first part
~~do~~ bargain sell and convey unto / the parties of the second
part a / certain parcel or tract of land lying and being in the
county of Lee and state of Virginia situated on Reeds Creek
waters of the North Fork of Powells River being two hundred
acres be the same more or less and bounded as follows to wit
being the land ^{the said} where Tobias Hugs now Lives and adjoining the //
land of Samuel Parsons James Quillen and Mathew Zion and the
parties of the second part to have and to hold forever . And the
parties of the first part warrant specially the land here-
by conveyed . witness the following signature and seal the day
and date above written .

for
Tobias X Hughs . (seal)

for
Martha X Hughs (seal)

for
Margaret X R. Parsons (seal)

Virginia Lee County to wit :

I, F. M. Parsons Justice of the peace for the aforesaid /
county and state do certify that Tobias Hughs and Martha
Hughs his wife and Peggie Parsons whose names are signed to the
foregoing deed ^{bearing} / date — on the 6th day of February 1890 .
acknowledged the same before me in my / county and state
aforesaid to be their act and deed and does not wish to ~~cancel~~

retract it . Given under my hand and seal this the 6th day of
February 1890

W.M. Parsons J.P.

Virginia Lee county to wit : In the office of the clerk of the
said county May the 6th 1890 this deed was presented and
with the certificate thereto annexed admitted to record

Test John R. Gibson Clerk.

Virginia Lee County To wit : *A Copy Teste J. R. Gibson Clerk*

This day R.L. Pennington personally appeared be-
fore me E.W. Pennington , a notary public in and for the said ~~pp~~
county and stat aforesaid and made oath that he had copied
the foregoing deed from the records of the county court of
the county on file in the ~~pppp~~ clerk's office of the said
county court and that the same is a true transcript from the ~~a~~
said records . Given under my hand this the ____ day of Feb.
1894.

N.P.

A.C. Muncie

From Copy of Deed
John's Hughes wife

~~~~~  
The far Copy \$0.50



Deed Book No. 25 ,page .104 .

*From John Pennington et al.*  
THIS DEED of conveyance made this the 19th day of March  
1890 by and between John C. Pennington and patience Pennington  
his wife Dinah Pennington and Martha J Robins and Mary A ro-  
bins of the county of Lee and State of Virginia and Green B.  
Pennington and Susan His wif of the county of Perry and State  
of Kentucky of the first part and William C Herndon of the  
second part of the county of Lee and state of Virginia .  
Witnesseth that for and  $\phi$  in the consideration of the sum of  
\$580 .00 dollars in hand paid the receipt of which i s hereby  
acknowledged the said parties of the first part do grant barga-  
in sell and convey unto  $\phi$  the parties of the second part all of  
their Right and title in the Charles Pennington tract of land  
lying and being in the county of Lee and state of Virginia  
on the waters off Jones Creek and bounded as follows To wit :  
Beginning at a beech and white oak on the east bank of Reeds  
creek thence ~~southwardly~~ <sup>eastwardly</sup> to a poplar thence to a white on the  
top of a ridge thence northwardly to a white oak on a flat  
thence <sup>north</sup> eastwardly to a wagon road <sup>and with the</sup> said road southwestwardly to  
a beech <sup>near</sup> at the mouth of the first hollow near the bank of Jones  
Creek and with said creek to ~~the mouth of said creek~~ to Jose-  
ph Marcums corner thence westwardly with the said Marcums Line  
to the Charles Pennington line and with the said line to the  
Beginning . the parties of the first part do warrant gen-  
erally the land hereby conveyed the parties of the second part  
to have and to hold forever . Witnesseth the following signa-  
ture and seal this the 19th day of March 1890

John C. pennington (seal)

Patience Pennington (seal)

<sup>her</sup>  
Martha J Robins (seal)  
<sup>mark</sup>



<sup>her</sup>  
Dinah Pennington (seal)

<sup>mark</sup>  
Green B. Pennington (seal)

<sup>her</sup>  
Susan Pennington (seal)

<sup>mark</sup>  
Mary A. Robins (seal)

State of Virginia Lee County To wit :

I, Frances M. Parsons a justice of the peace for the aforesaid county and state do certify that John C. Pennington and Patience Pennington his wife Martha J Robins and Dinah Pennington whose names are signed to the foregoing deed bearing date on the 19th day of March 1890, acknowledged <sup>before me</sup> the same in my county and state aforesaid to be their act and deed and do not wish to retract it Given under my hand and seal the day and date first above written .

F.M. Parsons J.P.

State of Kentucky , County of Perry

I, Ira J Davidson clerk for the county court for the c/ county and state aforesaid do certify that the foregoing deed of conveyance from John C Pennington & to William C Herndon was this day produced to ~~for~~ me in the county aforesaid and acknowledged before me ~~in the court aforesaid~~ by Green B Pennington and Susan his wife to be their act and deed and the same is certified to the proper office for record . Given under my hand this the 29th day of March 1890 .

Ira J. Davidson clerk

By G.R Cornett D.C.

State of Virginia County of Lee , to wit :

I, F.M. Parsons , a justice of the peace for the county and state ~~of~~ aforesaid do certify that Mary A Robins whose name is signed to the foregoing deed bearing date on the 19th day of March 1890 , acknowledged the same ~~in~~ before me in



in my county and state ~~of~~ aforesaid to be her act and deed and does not wish to retract it . Given under my hand the 7th day of April 1890.

F.M.Parsons J.P.

Virginia Lee County To wit :

In the office of the clerk of the said county May the 6th 1890 this deed was presented and with certificates thereto~~n~~ annexed was admitted to record

Test John R Gibson Clerk .

Virginia Lee County to wit ;

This day R.L.Pennington personally appeared before me ~~in~~ a notary public in and for the county and sstate aforesaid and made oath that he had copied the foregoing deed from the records of the county court of Lee county on file in the county clerk's office thereof , and that the same is a true transcript therefrom . Given under My hand his the \_\_\_\_ day of Febr~~u~~ary 1894.

\_\_\_\_\_  
N.P.



*W. C. Anderson*

*From { Copy of Deed  
The {  
John C. Pennington*

*day of Feb<sup>r</sup>uary 1884*

*same is a true transcript therefrom. Given under my hand his  
office in the county clerk's office thereof, and that the*

*Copy No. 75*

*N.P.*

Being deed from the records of the county court of Lee county  
state aforesaid and made oath that he had copied the fore-  
before me ~~by me~~ a notary public in and for the county and

This day R. L. Pennington personally appeared

Virginia Lee County to wit :

Test John H. Gibson Clerk .

whereof annexed was admitted to record

May the 6th 1880 this deed was presented and with certifications

in the office of the clerk of the said county

Virginia Lee County to wit :

E. M. Parsons J. P.

006 April 1880.

does not wish to retract it. Given under my hand the 14th day  
in my county and state & aforesaid to be her seal and deed and



Deed Book No 20 page 102.

This deed made this November the 9th 1889 by and between M.  
C. Parsons of the first part and Craig Gordon of the second  
part Both of the county of Lee and State of Virginia. Witness-  
eth that the part of the first part doth grant bargain sell and  
convey unto the party of the ~~first~~ <sup>second</sup> part his undivided inter-  
est in Charles Pennington now deceased estate that he bought  
of Anderson Robens and wife heirs of a foresaid Charles Penne-  
gton Deed for the sum of one hundred dollars in hand paid the  
receipt of which is hereby acknowledged. the aforesaid M.C.  
Parsons binds himself to warrant <sup>generally</sup> the land hereby conveyed with  
all its appurtenances forever. Witness my hand and seal day  
and date <sup>year</sup> first written.

M.C. Parsons (seal)

Virginia Lee County To wit.

I, V.H. Kelly notary public for the aforesaid county  
do certify that M.C. Parsons whose name is signed to the above  
deed bearing date ~~xx/xx/~~ 9th 1889, personally appeared  
before me in my county aforesaid and acknowledged his signature  
to this deed to be correct for the purpose mentioned in the  
above deed. Given under my hand this Nov. 9th 1889.

V.H. Kelly N.P.

*Officer of the*

Virginia Lee County to wit: --- In the clerk's office of  
the xsaid county May the 6th 1890, the deed was presented and  
with the certificates hereto annexed admitted to record.

Test John R. Gibson, Clerk.

*A Copy Teste B.F. Richmond Clerk*

Virginia Lee county to wit: This day R.L. Pennington

personally appeared before me a notary public for the afore-  
said county, in my county aforesaid and made oath that he had  
copied the foregoing deed the said county's records and that the  
same is a true transcript thereof from. This Feb \_\_\_ 1894

N.P.



H. C. Munroe

For a copy of deed

W. C. Farrar

For a copy, \$0.25



Virginia Lee County to wit :-

I, John A.G. Hyatt, com'r in chan. for &c do certify that John C. Stapleton, whose name is signed to the foregoing deed dated March the 7th 1887 personally appeared before me in the said county and acknowledged the said writing to be his act and deed. Given under my hand this the 7th day of March 1887

J.A.G. Hyatt Comr &c.

Virginia Lee County to wit - 1, John A. G. Hyatt commissioner in chancery for Lee county do certify that Almeda Stapleton wife of John C. Stapleton whose names are signed to the foregoing deed bearing date on the 7th day of March 1887 personally appeared before me in the county of said and being examined by me privately and apart from her husband and having the deed fully explained to her she declared she had willingly signed and executed the said deed and will not retract the same. Given under my hand and seal this 20th day of August 1888.

John A.G. Hyatt Com in chancery for Lee county court.  
Virginia Lee County <sup>Court</sup> ~~10/11/11~~ Clerk's office, Feb. 7th 1888  
The foregoing deed bearing date March the 7th 1887 between John C. Stapleton and Almeda his wife of the first part and W.C. Herndon of the second part all of Lee county Va. was this day filed in the <sup>clerk's</sup> office and admitted to record upon the foregoing certificate of John A.G. Hyatt a commissioner in chancery for Lee county court. Test John R. Gibson Clerk  
Virginia Lee county ~~10/11/11~~ to wit: *Alfred T. Pennington*

This day R/L. Pennington personally appeared before me a notary public for the said county and made oath that he had copied the foregoing deed from the records of the said county court and that the same is a true transcript from the said records, on file in the county court clerk's office.

This Feb. \_\_\_\_\_ 1894.



This deed made this the 7th day of March 1887 between John C. Stapleton and Almedid Stapleton his wife of the first part and W. Craig Hendon of the second part all of the county of LEE and State of Virginia. Witnesseth that in consideration of the sum of two hundred dollars in hand paid and secured to be paid by the party of the second part, <sup>to the party of the first part</sup> the receipt of which is hereby acknowledged, the said party of the first part by these presents give <sup>deliver</sup> grant sell and convey unto the party of the second part a certain tract of parcel of land lying and being in the said county of Lee and on Jones Creek in the Craborchard containing by estimation thirty and a half acres be the more or less ~~and~~ bounded as follows: Beginning on the 124 pole line 29 poles from white oaks and beeches on the north side of a branch at a white oak S 28 E 99 poles to a red oak on the top of a ridge and with said ridge S 99 1/2 W 38 poles to a pine and chestnut on the top of a high spur N 58 1/2 W 29 poles to a little gum and chestnut N 26 W 38 18 1/2 poles to two chestnut oaks S 83 1/2 W 33 poles to a sour wood hickory and two dead spanish oaks, (now gone N. 41 1/2 W 36 poles to a chestnut at the top of a deep hollow N 69 E 93 to the Beginning. To have and to hold the said <sup>on parcel</sup> tract of land and its appurtenances unto the party of the second part <sup>& his heirs</sup> forever. And the party of the first part covenant that they will warrant generally the title to the land hereby conveyed. And the party of the first part hereby reserve to themselves the vendor's lien on said land untill the purchase money therefor is fully paid. Witness the following signature and seal.

John C. Stapleton (seal)

Almedid Stapleton (seal)



Almediq Stepleton (seal)

John C. Stepleton (seal)

being Witness the following signature and seal :

Then on said land until the purchase money therefor is fully  
pay of the first part hereby reserve to themselves the vendors,  
generally the title to the land hereby conveyed And the par-

And the party of the first part covenant that they will with-  
its abridgements unto the party of the second part forever.

Beginning • To have and to hold the said piece of land and

beginning at the top of a deep hollow N 22 E 22 to the

and two deep sapling oaks • (now gone N. 41 1/2 W 30 poles to

two chestnut oaks 283 1/2 N 33 poles to acorn wood prickly

oaks to a little gum and chestnut N 22 W 33 18 1/2 poles to

to pine and chestnut on the top of a high spur N 22 1/2 W

on the top of a ridge and with said ridge S 22 1/2 N 30 poles

side of a French at a white oak 252 E 22 poles to a red oak

1st pole line 20 poles from white oaks and peaches on the north

be the more or less ~~and~~ bounded as follows : Beginning on the

craborchard containing by estimation thirty and a half acres

being in the said county of Lee and on Jones Creek in the

the second part a certain tract of parcel of land lying and

these presents give grant sell and convey unto the party of

hereby acknowledged • the said party of the first part by

being by the party of the second part the receipt of which is in

sum of two hundred dollars in hand paid and secured to be

and state of Virginia • Witnesses that in consideration of the

and W. Craig Hendon of the second part all of the county of Lee

Stepleton and Almediq Stepleton his wife of the first part

This deed made this the 10th day of March 1883 between John C.  
Deedbook No 23 page 100

A. C. Hendon

Frankly Copy of Deed

John C. Stepleton

The Jas. C. Stepleton



Deed Book NO .25 ,page 163.

This Deed made ~~this~~ the 30th dat of July 1889 between John B. Pennington and Larkin Herndon of the ~~first~~ <sup>one</sup> part and and William C. Herndon of the other part . J.B. Pennington now a resident of Hawkins County Tennessee and the other named parties of Lee county Virginia . Witnesseth that in consideration of the sum of \$50 .00 fifty dollars in hand paid the receipt <sup>whereof</sup> of which is hereby acknowledged ~~th~~ said John B. Pennington and L. Herndon do grant bargain and sell unto the said William C. Herndon a certain tract or parcel of land lying and being in the county of Lee and State of Virginia it being <sup>the remaining</sup> a part of a tract of land assigned to John Pennington Sr . by commissioners it being a part of the Mc Cradie survey and bounded as follows to wit: Beginning at the mouth of Jones Creek Crossing the North Fork of Powels River southwardly up the northside of stone mountain with partition line to the top of said mountain thence eastwardly with top of same with the varying meanders thereof to the original Mc Cradie line and with line thereof northwardly to the north Fork of Powels River thence westwardly with the <sup>mountain</sup> varied meanderings thereof to the beginning . And the afore said John B. Pennington and Larkin Herndon do covenant and agree with the ~~asaid~~ William C. Herndon to warrant generally the land hereby conveyed with all of its appurtenances Witnes the following signatures and seals The number of acres not known but by the boundary be the same more or less .

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County to wit : I, John A. G. Hyatt clerk for the circuit court for Lee county state aforesaid do hereby



certify that John R. Pennington and Larkin Herndon whose names are signed to the foregoing deed bearing date on the 30th July 1889 each personally appeared before me and made ~~oath~~ acknowledged the same to be their act and deed for the purpose therein stated. Given under my hand 7th of Sept 1889.

J. AG. Hyatt Clerk.

Virginia Lee County to wit:

In the office of the clerk of the said county May the 6th 1890 this deed was presented with the certificate thereto annexed admitted to record.

Test John R. Gibson, Clerk.

Virginia Lee County to wit

This day R. L. Pennington personally appeared before me a notary public in and for the county and state aforesaid and made oath that that he had copied the foregoing deed from the records of the county court of Lee County on file in the clerk's office of the said court, and that the same is a true transcript therefrom.

Given under my hand this the \_\_\_\_ day of Feb. 1894.

\_\_\_\_\_  
N.P.



H. C. Henderson

From Copy of Deed

John B. Pennington

Witness  
N.B. Pennington

Witness

clerk, & atty of the said court, and that the same is a true

record of the county court of Lee County on file in the c

make out that he had copied the foregoing deed from the

is hereby public in and for the county and state aforesaid and

This day R. L. Pennington personally appeared before me

Virginia Lee County do wit

Test John R. Gibson, Clerk.

1880 this deed was presented with the certificate thereto and

In the office of the clerk of the said county May the 10th

Virginia Lee County do wit:

John B. Pennington

wherein stated. Given under my hand and seal of the 10th day of Sept 1880.

knownedged the same to be their act and deed for the purpose

1880 each personally appeared before me and made oath and

are signed to the foregoing deed bearing date on the 10th day

certify that John B. Pennington and Leekin Hemdon whose names



This deed made this Dec 21st in the year of our lord  
1889 bet ween <sup>the first part</sup> Rebecca J Robins and James Robins of the first part  
and <sup>the second part</sup> William C. Herndon ~~of the second part~~ and Cynthia Herndon his  
wife of the county of Lee and State of Virginia of the second part  
Witnesseth that for and in consideration of the sum of \$95 dollars  
in hand paid the receipt of is hereby acknowledged the said party  
of the first part do grant bargain and sell to the party of the sec  
ond part all of their right title and interest in the Charles Pen  
nington lying and being in the said county of Lee and lying on the  
waters of Jones Creek and bounded as follows Beginning in a beech  
and white oak on the east bank of Reeds Creek near its mouth thence  
southwardly to a poplar on Jones Creek Thence eastwardly to a white  
oak on the top of a ridge thence north eastwardly to a white oak  
on ~~the~~ a flat thence northwestwardly to a wagon road thence south  
wardly to a beech at the mouth of a hollow near the bank of Jones  
creek thence southwardly with said creek to Joseph Marcums corner  
then ~~ce~~ southwardly with said Marcums line to the old ~~A~~ Charles  
Pennington line thence southwardly back to the beginning. and th  
said party of the first part do covenant with the party of the  
second part that they will warrant generally the land hereby convey  
ed. Witness the following signatures and seals

James H. Robins (seal)

Rebecca J. Robins (seal)

Witnesses M. Graham, Z.T. Robins, Perkins county Chickasaw Nation  
Feb 22/90 Ervin Springs

Chickasaw Nation, Perkins county Feb 22/90

Personally appeared before me S.W. Wallace a U.S. Commissioner  
James H. Robins and his wife Rebecca Robins to me well known and  
signed and acknowledged to me that it was for consideration there  
in expressed and set forth the above and foregoing deed or  
instrument of writing convey a tract of land to William C. Her  
ndon and his wife This Feb 22/1890

Samuel W. Wallace, US Com r  
For Indian Territory.

Virginia Lee county to wit :

In the office of the clerk of the said county May the 6th 1890  
this deed was presented and with the certificate thereto annexed  
was admitted to record

Test, John R. Gibson, clerk.

*A Copy Test S. F. Richardson 11/11/96*



Deed Book Nom 23 page 538 .

This deed made this the 15th day of Oct 1884 by and between John B. Pennington and Larkin Herndon of the county of Lee and state of Va of one part and William C Herndon of the and state aforesaid of the other part Witness that for and in consideration of the sum of four hundre and fifty-dollars in hand paid the receipt of which is hereby acknowledged , the said John B. Pennington and Larkin Herndon do grant bargain and sell unto the said William C Herndon a certain tract or parcel of land lying and being in the county of Lee and state of virginia . Being a part of the John McCrarie ~~survey~~ 14,050 acr survey which was partitioned by commissioners among the heirs of Edward Pennington De this being a Portion of the lot assigned to John Pennington Sr and by him by deed to John Pennington Jr and Lakin Herndon said land is lying in lower Graborchard and between the north Fork of Powels River and Jones Creek and Reeds Creek bounded as follows to wit Beginning at a poplay on the east bank of Reeds Creek corner to Charley Pennington dcd land and near the ford of said creek and with said creek southwardly 90 poles to its mouth on the north bank of the north fork of powels river thence eastwardly with the meanderings thereof to a stake the original line and with said line N 38 W to a gum 2 chestnuts and a spanish oak corner to A Baileys land and with lines of the said N 24 W 28 poles to a white oak and thence N 35 W 42 poles to 3 white oaks thence north west with parkers line to Jones creek and with said creek to Charles Pennington dcd line and with his lines to the beginning supposed to contain thre to four hundred acres be it the same more or less And the said John B. Pennington and Larkin Herndon do covenant with the said William C. Herndon that they will warrant generally the land hereby conveyed . Witness the following signature and seals.

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee county to wit :-

I, John A. G. Hyatt a com r in ch y for Lee county court the same being a court of record do certify that John B Pennington and Larkin Herndon whose names are signed to the foregoing deed bearing bearing date on the 15th day of Oct 1884 , personally appeared before me in my county a fore said and each acknowledged the same to be their act and deed for the purpose therein stated . Given under my hand h the 5th day of Jan 1885

J. A. G. Hyatt Com r &c

Virginia Lee County ~~to wit~~ court clerk s office March the 4th 1889

The foregoing deed bearing date Oct the 15th 1884 between John B. Pennington and larkin herndon of the one apart and and William C. Herndon of the other part allof lee county Va . w s this day ~~presented~~ filed in this office and admitted to record upon the certificate of J. A. G. Hyatt a Com r for Lee county Va .

Test? J. R. Gibson , clerk



M. Milner & Co  
vs. J. C. Ches.  
H. C. Hudson et al  
Copy of Dues.

To H. C. Hudson  
From  
John C. Huntington &  
J. Dues

For far Copies  
\$4.50

Examined



In the Clerk's Office of the Circuit Court of the County of  
*Lee* on the *1st* day of *January* 18*94*.

*M Milhiser & Co* Plaintiff  
against

*In Chancery*

*W. C. Herndon et al* Defendants.

The object of this suit is to ~~set aside and annul the deed of W. C. Herndon~~  
~~his wife to David P. Parsons dated March 14th 1893; 2nd, set aside and declare~~  
~~void the deed made by W. C. Herndon & wife to Wm. Woodward, dated~~  
~~Nov. 10th 1893; 3rd to annul the transfer of goods & chattels made by~~  
~~W. C. Herndon to John P. V. Larkin Herndon on or about Nov. 10th 1893~~  
~~and 4th that judgment be given in favor of the Plffs against the Defendants~~  
~~for the amount mentioned in bill & the same be satisfied out~~  
~~of said property & such conveyances.~~  
And an affidavit having been made and filed that the defendant *W. C. Herndon* is

not a resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days*  
after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County*  
*Republican* and that a copy be posted at the front door of the court-house of this *County*  
on the first day of the next term of the *County* Court.

A copy—Teste:

*Pennington Bros* p. q.

*A. B. Munsey* Clerk.



*M Milheiser & Co*

vs. }

ORDER OF  
PUBLICATION.

*W. C. Herndon et al*

*I A. B. Munsey Clerk of  
the circuit court do cer-  
tify that I delivered the  
within order to the Lee  
County Republican on  
Jan'y the 1st 1874 for Pub-  
lication and posted  
copy at the front door  
of the court house at  
the January Term 1874  
of the county court*

*A. B. Munsey Clerk*



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. C. Anderson*  
*Levin Anderson, John P*  
*Anderson, David Starnes*  
*William Woodward and*  
*John C. Stobbs*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *10th* Monday in *Jan*, 189*4*, to

answer a bill in Chancery, exhibited against ~~W. C. Anderson~~ in our said court by

*M. Millhiser, Jacob Stange*  
*partner in trade under the*  
*style & firm of M. Millhiser*  
*& Co.*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the

court-house, the

day of

*Dec* 189*3*, and in the *118th*

year of the Commonwealth.

Clerk.



Executed Dec., 1893 by delivering an office copy of the within subpoena in chancery and attachment to John P. Herndon, Larken Herndon, John C. Stapleton, Wm' Woodward and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodward, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25-163.

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodward, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No. 25-163.

SUBPOENA  
IN CHANCERY.

vs.

p. q.

Rules,

Circuit Court.

To



## The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. H. Verndon*  
*Larkin Verndon John P*  
*Verndon, David H. Harsan*  
*William Woodward and*  
*John C. Stopleton*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
 for the said Court on the *10th* Monday in *Jan*, 189*3*, to

answer a bill in Chancery, exhibited against *you* in our said court by

*Mr. Millhiser, Jacob Straub*  
*factors in trade under the*  
*style & firm of M. Millhiser & Co*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the

court-house, the

*8*

day of

*Dec*189*3*, and in the*118*

year of the Commonwealth.

Clerk.



Presented on the day of December, 1893 by delivering true copies of the within subpoena in chancery to Larkin Herndon - David P. Parsons and John P. Herndon & John P. Herndon also by leaving the within order of attachment by the following described tract of land (here describe it) in the possession of David P. Parsons and also the following described tract of land (here describe it as in order) in the possession of John P. Herndon.

Executed Dec., 13 1893 by delivering an office copy of the within subpoena in chancery and attachment to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm' Woodward and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po. to a White oak and Chestnut, thence N. 35 W. 42 po. to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with his line and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodward, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25-163.

C. E. Flannery. S. G. C.

M. Milhiser & Co

SUBPOENA  
IN CHANCERY.

US.

W. C. Herndon et al

Pennington, Dec. p. q.

To 16th January 1894  
Rules,  
Circuit Court.

W. C. Herndon et al

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po. to a White oak and Chestnut, thence N. 35 W. 42 po. to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with his line and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodward, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25-163.



In the Clerk's Office of the Circuit Court of the County of Lee on the 1st day of January 1894,

W. Milhiser & Co.,

PII

0021735

W. C. Herndon et al Deft

In Chan'y.

The object of this suit is to 1st to set aside and annul the deed of W. C. Herndon and his wife to David P. Parsons dated March 14th 1893; 2nd to set aside and declare void the deed made by W. C. Herndon and wife to Wm Woodward dated Nov'r the 10th 1893; 3rd to annul the transfer of goods and chattels made by W. C. Herndon to John P. and Larkin Herndon on or about Nov'r 10th 1893, and 4th that judgment be given in favor of the piffs. against the def't for the amount mentioned in the bill and the same be satisfied out of said property thereby conveyed.

And an affidavit having been made and filed that the defendant W. C. Herndon is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Lee County Republican, and that a copy be posted at the front door of the court house of this county on the first day of the next term of the county court. A copy—Teste:

A copy—Teste:

A. B. Munsey Clerk.

Pennington Bros

5 10

I W. P. Dryden & Sons pub

isher of the LEE COUNTY REPUBLICAN  
a weekly newspaper, published in the  
town of Jonesville, county of Lee, and  
State of Virginia, do hereby certify that  
the foregoing Order of Publication was  
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